



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution entitled, "Amendment to the Charter of the Fort Berthold Community College Prohibiting the Expenditure or Obligation of the Principal Amount of any Endowment Funds."

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted and Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribe; and

WHEREAS, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes authorizes the Tribal Business Council to adopt resolutions regulating the procedure of tribal agencies and tribal officials on the Reservation; and

WHEREAS, Article VI, Section 5 (c) authorizes the Tribal Business Council to administer any property or funds within the exclusive control of the Tribes and to make expenditures from available tribal funds for public purposes of the Tribes; and

WHEREAS, pursuant to Resolution 89-10-77 dated May 11th, 1989, the Tribal Business Council granted a Charter to the non-profit corporation known as the Fort Berthold Community College; and

WHEREAS, the Fort Berthold Community College from time to time receives certain funds in the form of endowments including grants for the establishment of endowment funds pursuant to the Tribally Controlled Community College Assistance Act; and

WHEREAS, federal contributions to endowments funds under the Tribally Controlled Community College Assistance Act are restricted by federal law; and

WHEREAS, the Tribal Business Council finds that the Charter of the Fort Berthold Community College should be amended to add a provisions protecting the principal or corpus of any endowment fund received by the Community College.



NOW THEREFORE BE IT RESOLVED, that the Charter of the Fort Berthold Community College is hereby amended by adding the following Section to Article VI:

F. The corpus or principal of any endowment received by the Corporation, including endowments under the Tribally Controlled Community College Assistance Act, shall not be expended, withdrawn, distributed, paid out, obligated or otherwise used by the Corporation.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8 day of April, 2004; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman voting. not voting.

Dated this 8 day of April, 2004.

Secretary, Randy Phelan
Tribal Business Council

ATTEST:

Chairman, Tex G. Hall
Tribal Business Council